

GOVERNMENT OF TELANGANA
ABSTRACT

Public Servants – PR&RD Dept. – Allegations of irregularities in execution of Panchayat Raj works in Chenjerla Gram Panchayat, Manakondur (M), Karimnagar District – Sri P. Kumara Swamy, the then District Panchayat Officer, Karimnagar presently working as faculty, TSIPARD, Rajendra Nagar, Hyderabad - Disciplinary proceedings under Rule 20 of Telangana Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No. 365

Dated: 22-05-2017

ORDER:

It is proposed to hold an enquiry against Sri P. Kumara Swamy, the then District Panchayat Officer, Karimnagar presently working as faculty, TSIPARD, Rajendra Nagar, Hyderabad, in accordance with the procedure laid down in Rule 20 of the Telangana Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-II&III).

3. Sri P. Kumara Swamy, the then District Panchayat Officer, Karimnagar presently working as faculty, TSIPARD, Rajendra Nagar, Hyderabad, is directed to submit within ten (10) days of the receipt of this order, a written statement of his defence.

4. Sri P. Kumara Swamy, the then District Panchayat Officer, Karimnagar presently working as faculty, TSIPARD, Rajendra Nagar, Hyderabad, is informed that an enquiry will be held only in respect of article of those charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri P. Kumara Swamy, the then District Panchayat Officer, Karimnagar presently working as faculty, TSIPARD, Rajendra Nagar, Hyderabad, is further informed that if he does not submit his written statement of defence on or before the Period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Telangana Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri P. Kumara Swamy, the then District Panchayat Officer, Karimnagar presently working as faculty, TSIPARD, Rajendra Nagar, Hyderabad, is invited to Rule 24 of the Telangana Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri P. Kumara Swamy, the then District Panchayat Officer, Karimnagar presently working as faculty, TSIPARD, Rajendra Nagar, Hyderabad, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Telangana Civil Services (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

S.P.SINGH
CHIEF SECRETARY TO GOVERNMENT &
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To

Sri P. Kumara Swamy, the then District Panchayat Officer, Karimnagar presently working as faculty, TSIPARD, Rajendra Nagar, Hyderabad
through the Engineer-in-Chief, PR, Hyderabad

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The Engineer-in-Chief, PR, Hyderabad.

(in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:

The Secretary, VC, TVC, Hyderabad

The General Administration (V&E) Department.

(w.r.t. Vigilance Report No.60 (265/V&E/E2/2014), dt. 24.09.2016)

The Commissioner, PR&RE, Hyderabad

SF/SC

//FORWARDED ::BY ORDER//

SECTION OFFICER

ANNEXURE –I

(Annexure to G.O.Rt.No.365, PR&RD (Vig.I) Dept., dt.22.05.2017)

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI P. KUMARA SWAMY, THE THEN DISTRICT PANCHAYAT OFFICER, KARIMNAGAR PRESENTLY WORKING AS FACULTY, TSIPARD, RAJENDRA NAGAR, HYDERABAD

Charge I :

That Sri P. Kumara Swamy, the then District Panchayat Officer, Karimnagar presently working as faculty, TSIPARD, Rajendra Nagar, Hyderabad while working as District Panchayat Officer, Karimnagar during the period accepted the invalid resolutions in execution of works in Chenjarla Gram Panchayat, Manakondur (M) Karimnagar (D).

Basis:

The V&E officials verified the (10) PR Dept works in Chenjarla Gram panchayat, Manakondur (M) Karimnagar District i.e.,

- 1) Special repairs to internal roads at Chenjerla (V), Manakondur (M) Karimnagar (D).
- 2) Balance work for Special repairs to GP Building at Chenjerla
- 3) Balance work and Special repairs to GP Building and toilets at Chenjerla (V), Manakondur (M)
- 4) Construction of compound wall and flooring to GP Building at Chenjerla
- 5) Special repairs to RO plant, Chenjerla (V) Manakondur (M)
- 6) Balance work to RO Plant, Chenjerla (V) Manakondur (M)
- 7) Supply and erection of Memorins and repairs to mini tank, Chenjerla (V) Manakondur (M) of Karimnagar District.
- 8) Fixing of current motor near Pavan Srinivas (H) at Nityajigudem, H/o Chenjerla of Manakondur (M) of Karimnagar District
- 9) Fixing of current motor to existing bore well near Bhulaxmi (H) at Chenjerla
- 10) Supply and Erection of 3 HP Pump set at Chenjerla

In all the above works as verified from the Chenjerla Gram Panchayat minutes register, the Sarpanch signed the resolutions. But as verified from above resolution the minutes were not signed by any of the ward members and Panchayat secretary. Hence the resolution without specifying the amount is giving scope for malafied intention which cannot be considered and is not valid.

Hence the Charge.

Charge II :

That Sri P.Kumara Swamy, the then District Panchayat Officer, Karimnagar presently working as faculty, TSIPARD, Rajendra Nagar, Hyderabad while working as District Panchayat Officer, Karimnagar during the period accepted fake quotations in execution of works in Chenjarla Gram panchayat, Manakondur (M) Karimnagar (D).

Basis:

The V&E officials verified the following works in Chenjarla Gram Panchayat, Manakondur (M) Karimnagar (D) i.e

Balance work to RO Plant, Chenjerla (V) Manakondur (M)

The V&E officials observed that the above gram panchayat resolution no amount was mentioned in resolution for purchasing of ATW machine. Hence the resolution without specifying the amount giving scope for malafied intention. Hence it cannot to be considered. Further it is observed that from note file of District Panchayat office, Karimnagar that the DPO officials approved the least quotation of L.M. Systems, Karimnagar for Rs.50,250/- even though the quotations are fake/fabricated and recommended to Dist. Collector, Karimnagar for admn. approval for purchasing of ATW

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machine. Based on the recommendations of DPO the Dist Collecotor Karimnagar accorded the admn. approval for purchasing ATW machine from L.M. Systems, Karimnagar for Rs.50,250/-.As verified from the records, the Panchayt Secretary, chenjerla neither issued the purchase order nor work order to L.M. Systems, Karimnagar for procurement of A.T.W Machine and the Panchayat secretary paid the bill to Sarpanch, Chenjerla instead of L.M. Systems, Karimnagar which is deviation from Collector Proceeding. It is observed from sanctioned estimate that the DEE approved purchase of ATW machine with Rs.46,000/- and brought the estimate to Rs.50,000/- with a vested interest of entrusting the work on nomination basis to Sarpanch Chenjerla. An amount of Rs.50,000/- was paid to the Sarpanch, Grama Panchayat Chenjerla against L.M. Systems Karimnagar for the above work vide Chq No.000234,dt 06-11-2014.In view of the above said facts it is clear that grave irregularities were done by Sarpanch and Secretary of Chenjerla (V) in the purchase of ATW machine and payments, in violation of the prescribed G.O.

Supply and erection of Memorins and repairs to mini tank, Chenjerla (V) Manakondur (M) of Karimnagar Districts.

The V&E Officials stated that the obtained quotations for the purchase of Memorins from Aliveni Enterprises/Karimnagar and Water solutions/Karimnagar having with same logo without date and same handwriting. (Machine spelled as mission).The quotation obtained from L.M. Water Systems, Karimnagar has also no date and logo. Hence it is clear that the obtained quotations are fake/fabricated in above works. It is observed from note file of District Panchayat Officer, Karimnagar the DPO officials approved the least quotation of L.M.Systems, Karimnagar for Rs.81,300/- even though the quotations are fake/fabricated the same was recommended to Dist.Collecoter, Karimnagar for administrative approval for procurement of Memorins and Spare parts. Based on the recommendations of DPO the District Collector Karimnagar accorded the admn. approval for purchasing Memorins and spare parts from L.M.Systems, Karimnagar for Rs.81,300/-. As verified from the records, the Panchayt Secretary, Chenjerla neither issued the purchase order nor work order to L.M. Systems, Karimnagar for procurement of Memorins and spare parts to water plant at Chenjerla. A.T.W Machine and the Panchayat Secretary paid the bill to Sarpanch, Chenjerla instead of L.M.Systems, Karimnagar. As verified from the records, the Panchayat Secretary, Chenjerla paid the bill to Sarpanch, Chenjerla instead of L.M. Systems, Karimnagar which is deviation from Collector Proceeding. It is observed from the M.Book and cheque issue register that the RWS Department officials paid an amount of Rs.98,095/- to the Sarpanch Chenjerla against approved amount of Rs.81,300/- as the work estimate was sanctioned and executed well before the administrative approval. Hence the AE, DEE and Panchayat Secretary are colluded with the Sarpanch with vested interest and executed the work any valid approval from the competent authority. An amount of Rs.98,096/- was paid to the Sarpanch, Gram Panchayat chenjerla as against L.M. Systems, Karimnagar for the above work vide cheq.No.000234, dt. 06/11/2014.

Hence the Charge.

Charge III :

That Sri P.Kumara Swamy, the then District Panchayat Officer, Karimnagar presently working as faculty, TSIPARD, Rajendra Nagar, Hyderabad while working as District Panchayat Officer, Karimnagar during the period have intentionally accepted splitting of one work into two parts and recommended to Collector in execution of works in Chenjarla Gram Panchayat, Manakondur (M) Karimnagar District.

Basis:

The V&E officials verified the below works in Chenjarla Gram panchayat, Manakondur (M) Karimnagar (D) i.e

Construction of compound wall and flooring to GP Building at Chenjerla

The V&E Officials observed from the General funds register of Chenjerla (V) the balance amount available in GP Chenjerla is Rs.4,18,750/- as on the date of sanctioning the

(Contd... on page3)

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estimates. But required amount for the above (03) works is Rs.2.50 lakhs only. Hence, it is clear that the Sarpanch, Secretary and PR officials colluded with each other and intentionally splitted into (03) parts to avoid the administrative approval from District Panchayat officer and tenders which is violation of G.O. Ms.No.91, PR & RD (E.III) Dept., dt. 04-03-1999 & G.O.Ms. No. 441, PR & RD Dept., Dt 10.12.2002

Supply and erection of Memorins and repairs to mini tank, Chenjerla (V) Manakondur (M) of Karimnagar (D).

The V&E officials verified the records in which the Deputy Executive Engineer, PRI Sub Division Karimnagar accorded the technical sanction for the above work on 06-10-2014 for Rs.99,500/- prior to the administrative approval by the Dist.Collector, Karimnagar which is deviation from G.O.Ms.No.441, PR&RD Dept., Dt 10-12-2012. As verified from the Chenjerla Gram Panchayat minutes register the Sarpanch signed the resolution No.9/2013-14, dt. 13-06-2014 for purchase of ATW machine and repairs to RO Plant (Memorins, Mini tank) Chenjerla Gram Panchayat for Rs.1.50 lakhs. But as verified from the above resolution the minutes were not signed by any of ward members and Panchayat Secretary. Hence the resolution cannot be accepted. The Extension officer, PR&RD, MPP, Manakondur forwarded the representation of Sarpanch, Chenjerla (V) dt 20-10-2014 to the District Panchayat Officer, Karimnagar along with Gram Panchayat resolution and three competitive quotations for procurement of Memorins and spare parts of water plant for obtaining approval from the District Collector, Karimnagar. Further observed that as per GP minutes procurement of ATW machines was resolved in a single resolution for Rs.1.50 lakhs. But the work splits into two so as to bring the sanctioning powers within DY.EE level and entrust the work on nomination basis to Sarpanch, Chenjerla with a vested interest.

From this it is evident that, Sri P. Kumara Swamy, the then District Panchayat Officer, Karimnagar presently working as faculty, TSIPARD, Rajendra Nagar, Hyderabad has shown gross negligence towards his Legitimate Duties and violated Rule (3) of TCS (Conduct) Rules, 1964.

Hence the Charge.

S.P.SINGH
CHIEF SECRETARY TO GOVERNMENT &
SPECIAL CHIEF SECRETARY TO GOVERNMENT(FAC)

SECTION OFFICER

ANNEXURE –II

(Annexure to G.O.Rt.No.365, PR&RD (Vig.I) Dept., dt.22.05.2017)

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI P. KUMARA SWAMY, THE THEN DISTRICT PANCHAYAT OFFICER, KARIMNAGAR PRESENTLY WORKING AS FACULTY, TSIPARD, RAJENDRA NAGAR, HYDERABAD ARE PROPOSED TO BE SUSTAINED.

GA (V&E) Department, Vigilance Report.No.60(265/V&E/E2/2014), dt:24.09.2016

S.P.SINGH
CHIEF SECRETARY TO GOVERNMENT &
SPECIAL CHIEF SECRETARY TO GOVERNMENT(FAC)

SECTION OFFICER

ANNEXURE –III

(Annexure to G.O.Rt.No.365, PR&RD (Vig.I) Dept., dt.22.05.2017)

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI P. KUMARA SWAMY, THE THEN DISTRICT PANCHAYAT OFFICER, KARIMNAGAR PRESENTLY WORKING AS FACULTY, TSIPARD, RAJENDRA NAGAR, HYDERABAD ARE PROPOSED TO BE SUSTAINED.

-Nil-

S.P.SINGH
CHIEF SECRETARY TO GOVERNMENT &
SPECIAL CHIEF SECRETARY TO GOVERNMENT(FAC)

SECTION OFFICER